Division of	of Wate	er Resources	5									
File No(s). 49,196 1a. □ Vested Right □ Water Right □ Appropriation of	Water	1b.Document Date: 2. Field Office: 3.										
Date Received		(
 ☑ Dismissal Voluntary Dismissal - Received June 6, 2010 ☐ Other	6			•								
GRANT COUNTY CEMETERY DISTRICT 108 S GLENN	<u> </u>	5b. Name & Ad	ddress	Person	ID							
Name & Address Person ID		5d. Name & Ad	ddress	Person	ID							
Certificate Date Vested Right Order Date Approval Date 09-APR-2015 Priority Date of Change Approval of Change Date		☑ IRR ☐ STK ☐ HYD DRG ☐ IND SIC: _ 8. Battery Nu	☐ REC ☐ SED ☐ WTR PWF	☐ DEW ☐ DOM R ☐ ART REG ☐ OTHER:								
	Tile No(s). 49,196 1a.	File No(s). 49,196 1a. Vested Right Water Right Appropriation of Water	Division of Water Resources MISCELLANEOUS WORKSHEI File No(s). 49,196 1a.	Water Right	Division of Water Resources MISCELLANEOUS WORKSHEET File No(s). 49,196 1a. Vested Right Water Right Water Right Vested Right Order Date Vested Right Order Date							

Date Prepared: 6/7/16 By: AM
Date Entered: 7/20/2016 By: WM

(see reverse for p/d and p/u)

10. Aquifer

Perfection Date _____

File No(s	i). 49 <mark>,1</mark>	96												-											
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Limit	ation:			af/yr a	t				gpm (cfs) w	hen co	ombine	ed with	file n	umber	(s)						
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16. Com	16. Comments: Voluntary Dismissal																								
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KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources <u>M E M O R A N D U M</u>

TO:

Files

DATE:

June 7, 2016

FROM:

Austin McColloch

RE: Appropriation of Water, File No. 49,196

An Application for Permit to Appropriate Water for Beneficial Use was received in the Office of the Chief Engineer on December 1, 2014 submitted by Grant County Cemetery. The application was approved on April 9, 2015, authorizing the use of 15 acre-feet for irrigation use on the cemetery grounds.

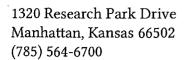
On June 6, 2016 in a letter addressed to the Office of the Chief Engineer, the owner of Water Appropriation File No. 49,196 filed a request for a voluntary dismissal of the referenced file. Per this request, those above have agreed to waive any and all rights that they might have to a hearing pursuant to K.S.A. 82a-718 or any other applicable statute.

This dismissal will open the area to exceptional appropriation (15 acre-feet or less of water in a ½ mile) for Application for Permit to Appropriate Water for Beneficial Use, File No. 49,520, held by Grant County Cemetery.

Based on the available information, it is recommended that the file be dismissed as requested by the owner.

Austin McColloch
Environmental Scientist

anti maden





900 SW Jackson, Room 456 Topeka, Kansas 66612 (785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

July 21, 2016

FILE COPY

GRANT COUNTY CEMETERY DISTRICT 108 S GLENN ULYSSES KS 67880

RE:

Dismissal of Appropriation of Water

File No. 49,196

Dear Sir or Madam:

Reference is made to Appropriation of Water, File No. 49,196, authorizing water to be diverted for irrigation use.

In the voluntary dismissal received on June 6, 2016, you advised the Chief Engineer that this proposed appropriation has been abandoned and requested that it be dismissed and its priority forfeited.

According to State Law (K.S.A. 82a-718), a hearing must be held before any appropriation right is declared abandoned. The voluntary dismissal of June 6, 2016, is considered a waiver of any such hearing. Therefore, the appropriation right is dismissed as of the date of the enclosed order.

If you have any questions, please contact our office at (785) 564-6645. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Brent A. Turney, P.C.

Change Application Unit Supervisor

Water Appropriation Program

BAT:am Enclosure(s)

pc:

Garden City Field Office

Ground Water Management District No. 3

KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCESDavid W. Barfield, Chief Engineer

DISMISSAL OF APPROPRIATION OF WATER FILE NO. 49,196

This is to certify that on June 6, 2016, a voluntary request to dismiss Appropriation of Water, File No. 49,196, was filed with the office of the Chief Engineer by the following permit holder(s):

GRANT COUNTY CEMETERY DISTRICT 108 S GLENN ULYSSES KS 67880

Per this request, those above have agreed to waive any and all rights that they might have to a hearing pursuant to K.S.A. 82a-718 or any other applicable statute.

The Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, acknowledges this request, and so orders the dismissal of Appropriation of Water, File No. 49,196, and forfeiture of its priority. The dismissed file pertains to the point(s) of diversion and place(s) of use described as:

one (1) well located in the Northeast Quarter of the Southeast Quarter (NE¼ SE¼ SE½) of Section 36, more particularly described as being near a point 825 feet North and 610 feet West of the Southeast corner of said section, in Township 28 South, Range 37 West, Grant County, Kansas for irrigation use on the following described property:

	<u>.</u>			NE	1/4			N۷	V1⁄4			SV	V1⁄4.	angra marey	وأجعمون معالا	SI	3/4×1		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1⁄4	NW1⁄4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	ACRES
											,								
36	28S	37W											1	<u>;</u> .				20.0	20.00
***************************************														17		, ' " .			
1	29S	37W	18.9							2									18.90

Any further diversion of water pursuant to the conditions and terms of the dismissed file shall be unlawful and subject to the penalties of K.S.A. 82a-728 and K.S.A. 82a-737.

This is a final agency action. If you choose to appeal this decision or any finding or part thereof, you must do so by filing a petition for review in the manner prescribed by the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions (KJRA K.S.A. 77-601 et seq.) within 30 days of service of this order. Your appeal must be made with the appropriate district court for the district of Kansas. The Chief Legal Counsel for the Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777, is the agency officer who will receive service of a petition for judicial review on behalf of the Kansas Department of Agriculture, Division of Water Resources. If you have questions or would like clarification concerning this order, you may contact the Chief Engineer.

Ordered this 19th day of July

, 2016, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau, P.G. Water Appropriation Program Manager Division of Water Resources Kansas Department of Agriculture

State of Kansas

SS

County of Riley

The foregoing instrument was acknowledged before me this Qth day of the day of by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Amber L. Herring Notary Public

CERTIFICATE OF SERVICE

On this A day of Appropriation of Water, File No. 49,196, dated first class, US mail to the following:

2016, I hereby certify that the attached Dismissal of 2016, was mailed postage prepaid,

GRANT COUNTY CEMETERY DISTRICT 108 S GLENN ULYSSES KS 67880

With photocopies to:

Groundwater Management District No. 3

Garden City Field Office

Division of Water Resources

VOLUNTARY WAIVER OF HEARING & DISMISSAL OF WATER RIGHT

To:	Manhattan Kansas 66502	Re: RESOURCES ECEIVED 0 6 2016	Appropriation of Water Water Right Vested Right Term Permit (Check Appropriate Box Above) File No. 49,196
	KS DEPT C	F AGRICULTURE	
forfeit	The undersigned owner(s) and/or author or permit, freely and voluntarily requesed. By signing this waiver, I am indicating all right, title and interest in said was	t that the file b g my understand	pe dismissed and its priority
file nu	The signature(s) below represent all pre mber shown above (attach duplicate copie	•	_ ·
I/we re	The signature(s) below also indicate(s) a we may have had regarding the dismissal ecognize that if this closure request is subminate this water right and forfeit any prior	l and termination omitted to the D	of the above referenced file. ivision of Water Resources, it
: H	Indicate here if you wish to retain the well(s) for d	omestic use (DWR	water right not required):
Signatur	e of wher or Kuthorized Agerimeleng	(Signature of Spouse	or Title of Authorized Agent)
Please p	rint name here)	(Please print name ho	ere)
Mailing /	Address)	(Mailing Address)	
City, Stat	(e, Zip) 620-356-1335	(City, State, Zip)	
	ACKNOWLE	EDGMENT	
State o County	f Kansas) of)		
(owners	This instrument was acknowledged before me this	s 2 day of S	June 2016 by
(Seal)	NOTARY PUBLIC - State of Kansas LORA FORESMAN My Appt. Exp. 12 (10 (2016)) Not	Hu Jolesman ary Public
Му арр	ointment expires: 12/10/2016		BAT:am DWR Initials



1320 Research Park Drive Manhattan, Kansas 66502 (785) 564-6700

Jackie McClaskey, Secretary

900 SW Jackson, Room 456 Topeka, Kansas 66612 (785) 296-3556

Governor Sam Brownback

May 25, 2016

GRANT COUNTY CEMETERY DISTRICT 108 S GLENN ULYSSES KS 67880

RE: Appropriation of Water, File No. 49,196

Dear Sir or Madam:

Please find enclosed the original voluntary dismissal of an application for permit to appropriate water under the referenced file number which was received in this office on December 4, 2015. It appears that this is the wrong form for submitting a voluntary dismissal of the referenced file as it is already an appropriation of water and no longer an application.

Please find enclosed a form to request a voluntary waiver of hearing and dismissal of appropriation of water for File No. 49,196. The form should be signed by an authorized agent and notarized. Please return the signed dismissal form to my attention at the address listed above at your earliest convenience so that we may dismiss the referenced appropriation of water file.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready to that we may help you more efficiently.

Sincerely,

Brent A. Turney, P.G. Change Application Unit Supervisor Water Appropriation Program

BAT:am Enclosures

pc: Garden City Field Office

Groundwater Management District No. 3